

ENTE

THE STATE OF OHIO, HAMILTON COUNTY

COURT OF COMMON PLEAS

"Ex A"

W. J. Morris
 W. J. MORRIS

THE STATE OF OHIO

: CASE NO. B- 13940481

-VS-

:

Lee Moore

: ENTRY APPOINTING COURT: PSYCHIATRIC CENTER FOR: EXAMINATION

This case has come before the Court and the Court, being fully advised, is of the opinion that psychiatric examination is necessary to assist the Court in determining the proper disposition of the case.

It is therefore the Court's order that defendant be examined by the Court Psychiatric Center, and the said Psychiatric Center is hereby appointed for that purpose pursuant to the Ohio Revised Code.

It is further the order of the Court that said Psychiatric Center, upon completion of such examination, shall report in writing, to the Court, the facts found and an interpretation thereof, including conclusions as to the mental condition of said defendant, and such recommendations, suggestions and opinions as professional judgment indicates may be of help to this Court.

008395

"EX B"

COURT OF COMMON PLEAS
CRIMINAL DIVISION
HAMILTON COUNTY, OHIO

ENTERED
AUG 12 1994
IMAGE 113

STATE OF OHIO

Plaintiff

vs.

LEE MOORE

Defendant

Case No. B9400481
Judge Morrissey

ENTRY GRANTING MOTION FOR
APPOINTMENT OF PSYCHOLOGIST
TO ASSIST IN PREPARATION OF
DEFENSE

The Motion of the Defendant for Appointment Of Psychologist To Assist In Preparation Of Defense is found to be well taken and is hereby granted.

The Court appoints Dr. David Chiappone of the Community Diagnostic and Treatment Center to assist the defense in this proper presentation of both phases of trial herein.

Wm J. Morrissey
Judge

Mark P. [Signature]
Assistant Hamilton County Prosecutor

Daniel J. James
Daniel J. James #0008067
Attorney for Defendant
30 E. Central Pkwy.
13th Flr. - American Bldg.
Cincinnati, Ohio 45202
(513) 721-1995

008396

COPY FILED
COMMON PLEAS COURT
HAMILTON COUNTY
CRIMINAL DIVISION
NOV 10 1994
JAMES CISSELL
STATE CLERK OF COURTS

COURT OF COMMON PLEAS
CRIMINAL DIVISION
HAMILTON COUNTY, OHIO

Plaintiff

vs.

LEE MOORE

Defendant

Case No. B9400481
Judge Ruehlman

DEFENDANT'S RESPONSE TO
STATE'S REQUEST FOR
DISCOVERY

Now comes Defendant, LEE MOORE, by and through his attorneys, and in response to the State's Request For Discovery, hereby states as follows:

1. Defendant does not know of any books, papers, documents, photographs, tangible objects, or copies or portions thereof, available to or within the possession, custody or control of the Defendant and which the Defendant intends to introduce in evidence at trial

2. The Defendant does not know of any results or reports of physical or mental examinations, or of any scientific tests or experiments made in connection with this particular case available to or within the possession or control of the Defendant, and which the Defendant intends to introduce in evidence at trial.

Witnesses:

- | | |
|--|---|
| 1. Georgia Moore
1281 Meredith Dr.
Cinti., OH 45231 | 2. Lee Moore, Sr.
1101 Clearbrook
Cinti., OH 45237 |
| 3. Arlene Gaines
9731 Culpepper
Cinti., OH 45231 | 4. Robin Fletcher
2351 Vera Ave. Apt. #2
Golf Manor, OH 45237 |
| 5. Beverly Parker
7950 Cherrywood Ct.
Cinti., OH 45224 | 6. James Williamson
Fairfield Police Dept. |

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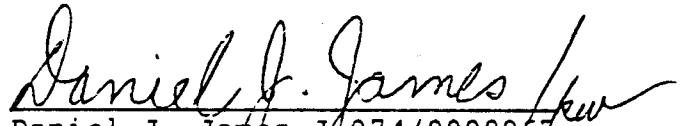
7. David Feldhaus
Cinti. Police
C.I.S.
824 Broadway
Cinti., OH 45202

8. David Chiappone
Community Diagnostic
& Treatment Center

9. Emmet Cooper
125 William Howard Taft Rd.

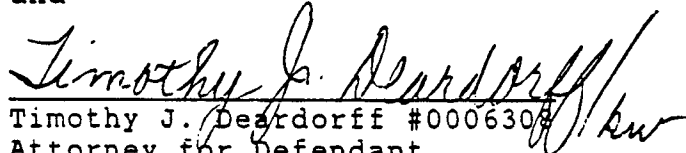
Names and addresses of possible additional witnesses will be
furnished to the State as soon as their identity is determined by
the Defendant.

Respectfully submitted,



Daniel J. James J-074/0008067
Attorney for Defendant
30 E. Central Pkwy., 13th Floor
Cincinnati, Ohio 45202
(513) 721-1995

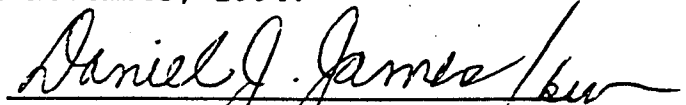
and



Timothy J. Deardorff #0006308
Attorney for Defendant
2368 Victory Parkway
Suite 300
Cincinnati, Ohio 45206
513-872-7900

CERTIFICATE OF SERVICE

I hereby certify that a copy of the above Defendant's
Response To State's Request For Discovery was hand delivered to the
office of the Hamilton County Prosecutor, 4th floor of the Hamilton
County Courthouse, this 10th day of November, 1994.



Daniel J. James J-074/0008067
Attorney for Defendant

008398

THE STATE OF OHIO, HAMILTON COUNTY
COURT OF COMMON PLEAS
CRIMINAL DIVISION

STATE OF OHIO : NO. B9400481
Plaintiff : (Judge Morrissey)
vs. : STATE'S RESPONSE TO
LEE MOORE : DEFENDANT'S DEMAND FOR
 : DISCOVERY
Defendant :

Now comes the State of Ohio, by and through its Assistant Prosecuting Attorney, Mark E. Piepmeier, and in response to Defendant's Demand for Discovery provides disclosure and inspection of the following information by the Defendant pursuant to Criminal Rule 16(B):

1. STATEMENTS OF DEFENDANT AND CODEFENDANTS:

Police Officer's notes of interview with defendant Moore
Transcript and tape of statement of defendant Moore
Transcript and tape of statement of defendant Holmes
Transcript and tape of statement of defendant Kinley

2. DEFENDANT'S PRIOR CRIMINAL RECORD: Defendant has no known adult record.

3. DOCUMENTS AND TANGIBLE OBJECTS: The following items are available for inspection in the Hamilton County Prosecutor's Office:

Clothing of Lee Moore at arrest
White leather pouch containing 2 live .357 rounds
1994 Ford Taurus belonging to victim

008399

1 Sturm Ruger .357 Caliber Revolver
1 S & W .32 Caliber Revolver
1 18" gold necklace
1 10 Kt. gold bracelet
2 receipts from JC Penney
1 mans gold watch
4 pairs gold earrings in red jewel case
1 ladies gold ring
Numerous pills and suspected crack cocaine
Ohio license plate NMN 685
1 box 30 live .357 rounds
1 Western style holster
1 Colt gun pouch
10 live 9 mm. rounds
Assorted live ammunition rounds
1 gold ring
2 car keys
Wallet and personal papers of Lee Moore
Photos of duplicate items of those purchased with
deceased's credit card
Numerous JC Penney's price tags
Photos of scene of kidnapping in Fairfield
Photos of homicide scene
Photos of above evidence items
Rights forms for defendant Moore
Consent to search forms
Tape cassettes of defendants' statements
Shell credit card receipts

008400

Photo spreads

4. TESTS AND EXAMINATIONS: Fingerprint examinations were performed with no identifiable prints developed.

We are still awaiting results of gunpowder residue tests.

Autopsy report to be provided when received.

5. WITNESSES:

Larry Kinley Hamilton County Justice Center
Jason Holmes Hamilton County Justice Center
P.O. Robert Dennett Fairfield P.D.
Sgt. Edward Roberts Fairfield P.D.
P.O. James Williamson Fairfield P.D.
P.O. Mike Tiernan Fairfield P.D.
P.O. Don Garrett Fairfield P.D.
P.O. Tom Strobe Fairfield P.D.
Gail Thomas JC Penny Northgate
Aaron Blusky JC Penny Northgate
Charlotte James 5141 Alert New London Rd.
Dr. Elliot Gross H.C. Coroner
Darrell Anderson 1293 Meredith Dr.
Cameron Callery 1054 Loiska Ln.
Vinetta Griffin 627 Chestnut St.
Trista Neal 10889 Sprucehill Rd.
Chief Al Schaefer Mt. Healthy P.D.
Asst. Chief Dennis Ohmer Mt. Healthy P.D.
P.O. Jeff Armontrout Mt. Healthy P.D.
Sgt. Mike Donathan Mt. Healthy P.D.
P.O. Dave Feldhaus C.P.D.
P.O. Joe Hoffmann C.P.D.
Sgt. John Jay C.P.D.
P.O. Jim Murray C.P.D.
Clarence Caesar C.P.D.
P.O. Ray Moreno C.P.D.
P.O. Darlene Lackey C.P.D.
P.O. Gary Seal C.P.D.
Sgt. Bob Disbennett C.P.D.
John Jannigan JC Penny Tri County
Margaret Esmaham JC Penny Tri County
Gwendolyn Lay JC Penny Tri County
Krista McKinney JC Penny Tri County
Dan Ringel JC Penny Tri County
Bill Schrand H.C. Coroner
Noah Olinger/other Olinger family member
Lee Moore Sr. 1101 Clearbrook Dr.

6. EVIDENCE FAVORABLE TO DEFENDANT:

None known.

008401

Mark E. Piepmeier, 0006894P
Assistant Prosecuting Attorney
914 Main Street
Cincinnati, Ohio 45202
513/632-8534

CERTIFICATE OF SERVICE

I hereby certify that a copy of this document was served upon each party or attorney of record in the proceedings for each party by personal delivery on the _____ day of _____, 1994.

Mark E. Piepmeier, 0006894P
Assistant Prosecuting Attorney

008402

THE STATE OF OHIO, HAMILTON COUNTY
COURT OF COMMON PLEAS
CRIMINAL DIVISION

STATE OF OHIO	:	NO. B9400481
Plaintiff	:	(Judge Morrissey)
vs.	:	<u>STATE'S MOTION FOR DISCOVERY</u>
LEE MOORE	:	
Defendant	:	

Now comes the undersigned Assistant Prosecuting Attorney who moves the Court for an order requiring the Defendant to provide the State of Ohio the following discovery:

1. Any books, papers, documents, photographs, tangible objects, or copies or portions thereof, available to or within the possession, custody or control of the Defendant and which the Defendant intends to introduce in evidence at trial.

2. Any results of reports of physical or mental examinations and of scientific tests or experiments made in connection with the above captioned case, or control of the Defendant, and which the Defendant intends to introduce in evidence at trial, or which were prepared by a witness whom the Defendant intends to call at trial, in the event that such results or reports relate to the witness' testimony.

008403

3. A complete list of the names, addresses, dates of birth, and social security numbers of the witnesses whom the Defendant intends to call at trial.

Mark E. Piepmeier, 0006894P
Assistant Prosecuting Attorney

MEMORANDUM

Defendant has been provided all available discovery which is required under Rule 16(B)(1)(c) through (e). Rule 16(C)(1)(a), (b), and (c) allow for the disclosure of evidence by the Defendant on the pre-condition that the prosecution has first complied with Rule 16(B). Since the prosecution has met its obligation under the Rule, the granting of this Motion is appropriate under the law.

Mark E. Piepmeier, 0006894P
Assistant Prosecuting Attorney
914 Main Street
Cincinnati, Ohio 45202
513/632-8534

CERTIFICATE OF SERVICE

I hereby certify that a copy of this document was served upon each party or attorney of record in the proceedings for each party by personal delivery on the _____ day of _____, 1994.

Mark E. Piepmeier, 0006894P
Assistant Prosecuting Attorney

008404

THE STATE OF OHIO, HAMILTON COUNTY
COURT OF COMMON PLEAS
CRIMINAL DIVISION

STATE OF OHIO : NO. B9400481
Plaintiff : (Judge Morrissey)
vs. : BILL OF PARTICULARS
LEE MOORE :
Defendant :

Now comes the State of Ohio, by and through Assistant Prosecuting Attorney, Mark E. Piepmeier, and in response to Defendant's Request for Bill of Particulars states as follows:

The indictment is hereby incorporated into this Bill of Particulars.

On or about January 14, 1994, Melvin Olinger was in town from his home in Illinois and was staying with his parents in Fairfield. On the evening of January 14, 1994, he was approached by the defendant at gunpoint outside of Gina's Lounge in Fairfield, Ohio. The defendant forced Mr. Olinger into the trunk of his car, a 1994 Ford Taurus, at gunpoint, and drove the car of Mr. Olinger into Hamilton County with Mr. Olinger in the trunk. Later that evening the defendant drove the car to the rear of the Gilbert Machine Company located at 3366 Llewellyn in Cincinnati, Ohio. At this location Mr. Olinger was ordered from the trunk of his car, his personal belongings were taken, and he was shot to death by the defendant. Over the next several days the credit cards of Mr.

Olinger were used to make purchases by the defendant and co-defendants.

Mark E. Piepmeier, 0006894P
Assistant Prosecuting Attorney
914 Main Street
Cincinnati, Ohio 45202
513/632-8534

CERTIFICATE OF SERVICE

I hereby certify that a copy of this document was served upon each party or attorney of record in the proceedings for each party by personal delivery on the _____ day of _____, 1994.

Mark E. Piepmeier, 0006894P
Assistant Prosecuting Attorney

Revised 11/9/66

Place MT HEALTHY P.D.
Date 1-21-94
Time 0010

YOUR RIGHTS

Before we ask you any questions, you must understand your rights.

You have the right to remain silent.

Anything you say can be used against you in court.

You have the right to talk to a lawyer for advice before we ask you any questions and to have him with you during questioning.

If you cannot afford a lawyer, one will be appointed for you before any questioning if you wish.

If you decide to answer questions now without a lawyer present, you will still have the right to stop answering questions at any time. You also have the right to stop answering questions at any time until you talk to a lawyer.

WAIVER OF RIGHTS

I have read this statement of my rights and I understand what my rights are. I am willing to make a statement and answer questions. I do not want a lawyer at this time. I understand and know what I am doing. No promises or threats have been made to me and no pressure or coercion of any kind has been used against me.

Signed Gale E. Thoe

Witness [Signature]

Witness [Signature]

Time 0010



008408

CINCINNATI POLICE DIVISION
 CONSENT TO SEARCH WITHOUT A WARRANT

I, Edward MOORE, having been informed of my constitutional right not to have a search made of the premises hereinafter mentioned without a search warrant and of my right to refuse to consent to such a search, hereby authorize members of the Cincinnati Police Division and/or its agents to conduct a search of 1101 CLEARBROOK DR.

These officers are authorized by me to take from my RESIDENCE
GOLD NUGGET RING & .357 AMMUNITION
 of which I am the lawful occupant, any letters, papers, materials, or other property which is contraband, or may be used as evidence in a criminal or civil proceeding.

This written permission is being given by me to members of the Cincinnati Police Division and/or its agents voluntarily and without threats or promises of any kind.

X *Lee E. Moore Jr.*
 Signature
1101 Clearbrook
 Address

WITNESSES:

[Signature]
[Signature]

CINCINNATI POLICE DIVISION
CONSENT TO SEARCH WITHOUT A WARRANT

I, LEE E. MOORE, SR., having been informed of my constitutional right not to have a search made of the premises hereinafter mentioned without a search warrant and of my right to refuse to consent to such a search, hereby authorize members of the Cincinnati Police Division and/or its agents to conduct a search of 1101 CLEARBROOK DR.

These officers are authorized by me to take from my RESIDENCE

of which I am the lawful occupant, any letters, papers, materials, or other property which is contraband, or may be used as evidence in a criminal or civil proceeding.

This written permission is being given by me to members of the Cincinnati Police Division and/or its agents voluntarily and without threats or promises of any kind.

LEE E. MOORE SR.
Signature

1101 CLEARBROOK DR.
Address 1-21-94 1045 AM

WITNESSES:

Harlene Lasky
Gary Seal

CINCINNATI POLICE DIVISION
CONSENT TO SEARCH WITHOUT A WARRANT

I, TRISTA NEAL, having been informed of my constitutional right not to have a search made of the premises hereinafter mentioned without a search warrant and of my right to refuse to consent to such a search, hereby authorize members of the Cincinnati Police Division and/or its agents to conduct a search of MY RESIDENCE 10889 SPRUCEHILL Rd CINTI,
OHIO, 45242 (742-8392)

These officers are authorized by me to take from my RESIDENCE

of which I am the lawful occupant, any letters, papers, materials, or other property which is contraband, or may be used as evidence in a criminal or civil proceeding.

This written permission is being given by me to members of the Cincinnati Police Division and/or its agents voluntarily and without threats or promises of any kind.

VERBAL CONSENT BY SHATUNDA NEAL
TO SGT ROBERT DISBANNETT

x Trista Neal
Signature

10889 SPRUCEHILL Rd
Address

WITNESSES:

Spec Ray J. Moore

CINCINNATI POLICE DIVISION

CONSENT TO SEARCH WITHOUT A WARRANT

I, OTTO ANDERSON, having been informed of my constitutional right not to have a search made of the premises hereinafter mentioned without a search warrant and of my right to refuse to consent to such a search, hereby authorize members of the Cincinnati Police Division and/or its agents to conduct a search of MY RESIDENCE 1738 NEWBROOK DR
CINTI, OHIO, 45231 (522-3619)

These officers are authorized by me to take from my RESIDENCE

of which I am the lawful occupant, any letters, papers, materials, or other property which is contraband, or may be used as evidence in a criminal or civil proceeding.

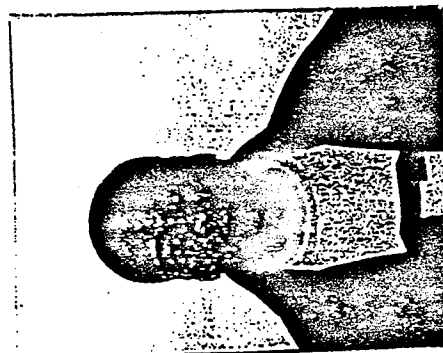
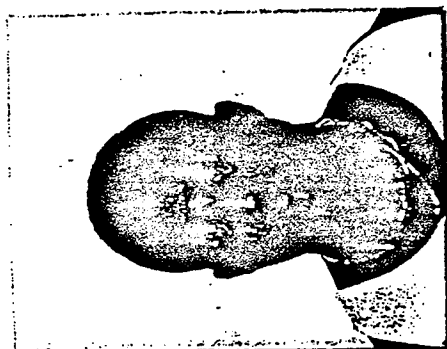
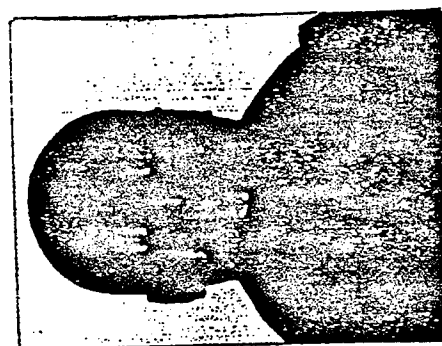
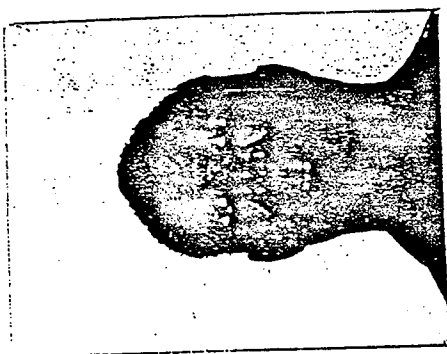
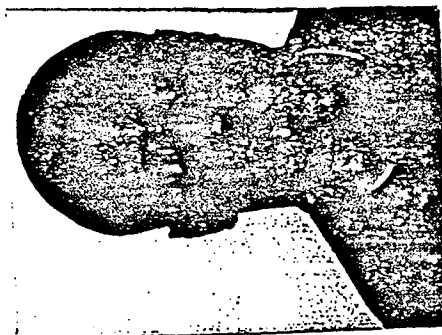
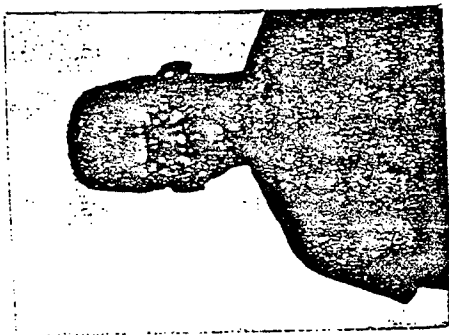
This written permission is being given by me to members of the Cincinnati Police Division and/or its agents voluntarily and without threats or promises of any kind.

x Otto Anderson
Signature

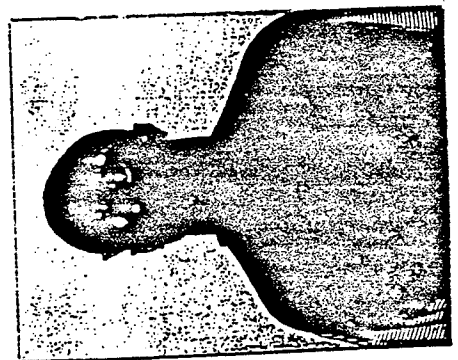
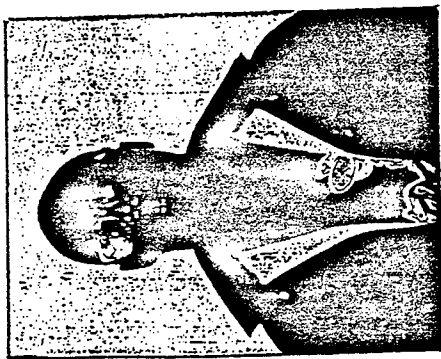
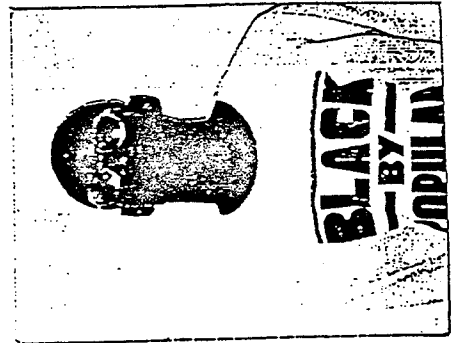
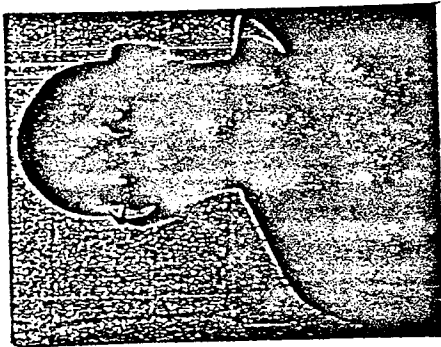
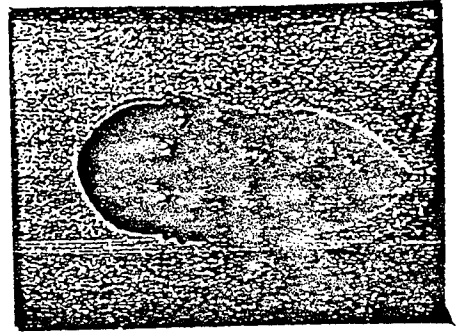
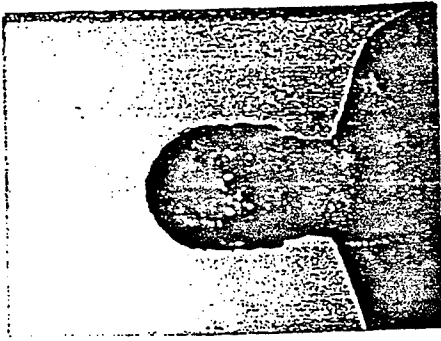
1738 Newbrook Dr Cinti 45231
Address

WITNESSES:

Spec Ray J. Morano



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